

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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In the Matter of)

) CC Docket 92-77

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Billed Party Preference)

For 0+ InterLATA Calls)

COMMENTS OF THE FAIRFAX COUNTY SHERIFF'S OFFICE
FAIRFAX COUNTY ADULT DETENTION CENTER

Comments of Carl R. Peed, Sheriff of Fairfax County:

I have the responsibility for the operation of the Fairfax County Adult Detention Center and a duty to protect the citizens of Fairfax County from the inmates incarcerated in this facility. The implementation of BPP without an exemption for correctional institutions, not just prisons, will hinder me in fulfilling those responsibilities.

In the FCC opinion dated May 19, 1994, paragraph 2 of the Introduction indicated that the FCC feels that implementation of BPP "would serve the public interest." I submit that a percentage of the public would not be served or be able to be served in the same manner they can be right now. The inmate phone systems that have been developed as a result of increased technology, allows my staff to protect the victims of crimes, witnesses, court officers, etc. from annoying, harassing, even threatening telephone calls. Since the implementation of this system, we have not had a single case of fraudulent use of any phone equipment or credit system. The phone system presently in use in Fairfax County allows me to receive a computer printout of any calls made. This printout has been used in criminal prosecution and in locating an escaped felon. I submit it could also be used to

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trace and convict inmates attempting to defraud a telephone company . I was not able to make these claims prior to the implementation of our present system. The statement that fraud would remain unchanged with BPP is hard to believe since the implementation of BPP would annihilate the company that provides the citizens of Fairfax County with these protections.

Proponents of BPP claim that inmates' families are being charged exorbitant rates due to private phone companies such as ours. The charge for an inmate's local collect call is the same charge that I would pay from any coin phone if I were to make a local collect call. The long distance rates are also well within regulatory guidelines. Many correctional facilities operate under guidelines prescribed by the American Correctional Association. This body requires that phone rates for inmates cannot exceed rates charged to local area customers. Accreditation by this body is difficult to attain, but important to have. Not only are there tariff laws and regulatory agencies in almost every state that do or should be able to prevent gouging, but the correctional profession has developed regulations of their own.

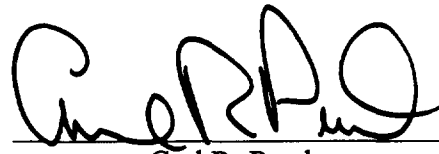
The passage of BPP with no exception made for correctional facilities, will cause a decline in inmate phone calls, which will lead to decreased contact with their families. Inmates would have to be removed from their living areas to use the phone so that supervision would be available. Without this supervision, all of the above mentioned problems of fraud, harassment, threats of bodily harm, etc. would exist on a much larger scale. Taking inmates out of their living areas to use the phone is very time consuming and takes staff away from other more important duties. Phone calls receive a lower priority on the deputy's "duty list" than other more security related duties. I would urge

the FCC to confront BPP proponents and inmate support groups with this issue during any public hearings to determine whether or not they have taken this side effect into consideration.

I am sure that the commission is aware of the current problems in the correctional profession. The public wants the criminals off the streets for longer sentences and they want them returned with enough skills and the right frame of mind to become productive members of society. This entails developing and implementing programs to provide counseling for substance abusers (a high percentage of any correctional facility's population), job skills, and life skills. The commission is also aware of the shrinking budgets that all local, state, and even federal agencies are facing. Jails and prisons have never been a popular place for elected officials to put tax dollars into. Taxpayers perception is an angry one over the idea of inmates watching television, playing cards, having nutritional meals and adequate health care at their expense. Correctional administrators are attempting to fund more and more direct inmate services and programs with money generated from profits through commissary and inmate phone systems. This money provides inmates with many programs that they would not have without this revenue. It also provides them with recreational equipment instead of the taxpayer paying for it. Inmate recreation has been mandated by federal and state courts across the country.

The theory behind this movement is to place more of the burden of incarceration back on the inmate either directly or through the family who in turn will put pressure on the inmate. This should further increase the idea that there are far reaching consequences for criminal behavior.

In conclusion, I strongly urge the FCC to grant an exemption for all correctional facilities. The potential loss of both protective controls and revenues would be a serious setback. Correctional administrators need these tools to maximize the expectations that the citizens have of the correctional profession. I believe that BPP with this exemption would serve more of the public effectively.

A handwritten signature in black ink, appearing to read 'Carl R. Peed', written over a horizontal line.

Carl R. Peed
Sheriff of Fairfax County

cc: The Honorable Reed E. Hundt
The Honorable Andrew C. Barnett
The Honorable Rachelle B. Chong
The Honorable Susan Ness
The Honorable James H. Quello